Writ Petition No. 784 (S/S) 2003

Smt. Manju Upadhyay …….. Petitioner

Versus

State of Uttaranchal and others Respondents.

Hon'ble M.M. Ghildiyal J.

Heard Sri K.N. Joshi learned Counsel for the petitioner and learned Standing Counsel.

The petitioner who is Assistant Teachers in Primary Schools has filed the present writ petition for directions to the respondents to pay her salary permissible to the Assistant Teacher of Primary Schools. The petitioner has submitted that in pursuance to the advertisement dated 02.02.1993 she applied for appointment to the post of Assistant Teachers and after having successful to the interview, she was appointed as Assistant Teacher vide appointment letter dated 14.6.1197 issued by the Basic Shiksha Adhikari, Pithoragarh, According to the petitioner some other persons who were appointed in pursuance to the aforesaid advertisement are being paid regular pay scale of 1100-1710 whereas the petitioner is being paid a consolidated amount of R.s 850.00 per month till 7.3.2002. She is claiming pay scale as is being paid to others who were appointed alongwith the petitioner from the date of their initial appointment.

The petitioner has submitted that she is being paid regular pay scale as prescribed in the advertisement itself since 7.3.2002. The learned counsel for the respondents could not show any ground why the petitioner was not given the regular pay scale since her initial appointment till 7.3.2002.

Since the petitioner was appointed in pursuance to the advertisement issued by the respondents in the year 1993 and some of the persons who appointed in pursuance to the same advertisement have been paid regular pay scale from their initial appointment, the petitioner is also entitled to get same pay scale.

Fro the reasons stated above the writ petition is allowed. The respondents are directed to pay difference of pay to the petitioner within a period six weeks from the date of production of certified copy of this order. No order as to costs.

M.M. Ghildiyal J.

August 08,2003:
MPS